

FILED

Mark Scott

2008 AUG 26 PM 1:28

P.O.Box 181936

CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Coronado, CA.

92178

BY: *J*

DEPUTY

Mark Scott, in proper

United States District Court
Southern District of California

Mark Scott; Plaintiff

Case # 08cv1016

vs

Suit; Fair labor

Vessel Orion ; Defendants

Honorable Judge

Dave Hammel

Jeffrey T. Miller

Request hearing Date

I Mark Scott do request a date in court seeking remedy of the matter which I consider to be a maritime issue of labor and wages. Requested without oral argument.

Authorities of codes in reference

§ 53.25 Basis for jurisdiction, traditional Maritime law vs statutory Maritime Law under 28USCA § 1331

§ 53.6 Constitution decisions of Admiralty: Maritime law jurisdiction of civil cases under Federal District Court

USC 30101 Establishes boundaries of Admiralty concerning vessels definitions of vessels and their relationship to waters docks, etc...

USC 30104 - 137 Relationship of Marine employment not gauged to standard of land employment.

(continued)

Mark Scott vs Vessel Orion/Dave Hammel Case#08cv1016

Authorities of codes (continued)

USC 11107 Concerns fishing agreements

USC 10601 agreements; lay share (wages would not be based on fish; rather no. of passengers)

CFR - Definition of passenger vessel of 6 or less passengers.

USC 46 10313 Priority Master lien for wages

USC 46 11112 documented vessels /lien by master

Common law: [Freight is the mother of wages]

Causes of Action:

USC 46 10313, 10504, 11105, 6 et al

California Rules of Court + Rule E; Procedures of REM actions

Further references:

1. CFR shipping Coast Guard; their duties of inspection.

2. Benedict's Admiralty law; actions of seaman against vessel.

3. Federal Procedure (Lawyers Edition)

§ 53.1 - 54:227

I have been a mariner and captain for 30 years; as a seaman would, perform duties without bound of clock nor calendar carried out tasks to obtain 6 pack certification. Actions and recommendations all to the care and well being of the vessel. I don't believe I'm asking for something I don't deserve.

Sincerely

Date: August 26 08

Mark Scott